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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,576	08/27/2002	Peter Hillebrand De Haan	308.1001	7179

22856 7590 04/30/2004

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EXAMINER

MILLER, ROSE MARY

ART UNIT	PAPER NUMBER
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2856

DATE MAILED: 04/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/070,576	Applicant(s) DE HAAN ET AL.	
	Examiner Rose M Miller	Art Unit 2856	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The reply filed on 26 January 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant cannot just "reinstate" prior claims when an intervening amendment has been filed. All subsequent amendments **must** be made on the version of the claims present in the application at the time the subsequent amendment was made. Therefore, the amendments filed 4 November 2003 and 6 January 2004 are improper in that they do not recite the claims as amended in the amendment filed 25 September 2003. And Applicant's request to "reinstate" the originally filed claims is improper and will not be granted. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. In order to facilitate the submission of a proper amendment, the Examiner has copied the claims as presented in the amendment file 25 September 2003 below.

Art Unit: 2856

1. (currently amended) A moisture sensor for detecting the presence of moisture, comprising an electric circuit and ICPs (intrinsic conduction polymers), electric properties of the ICPs being dependent on the amount of moisture with which they come into contact and the electric circuit wherein the moisture sensor comprises two layers of different electrochemical potential, at least one of said layers comprising said ICPs, and a dielectric separating said layers and being of a type capable of absorbing moisture and said moisture sensor being arranged for detecting a change of the electric properties of the ICPs for detecting moisture, characterized in that the ICPs form part of a capacity, the electric circuit being arranged for detecting a change of the capacity for detecting the moisture, in use, said moisture as a voltage difference between the layers.

2. (currently amended) A moisture sensor according to claim 1, characterized in that on a first side of a substrate, there is provided a layer comprising the ICPs and that on a second side of the substrate opposite the first side, electrodes are provided which together with the layer form part of the capacity a capacitor.

3. (original) A moisture sensor according to claim 2, characterized in that the electrodes are designed as a comb capacitor.

4. (currently amended)) A moisture sensor according to claim 1, characterized in that on a first side of a substrate, there is provided a layer comprising the ICPs, while at least one first electrode is provided on a second side of the substrate opposite the first side and at least one second electrode is provided on the layer, such that the layer lies at least partly between the first and the second electrode, the first and second electrodes together with the ICPs forming part of the capacity a capacitor.

5. (currently amended) A moisture sensor according to claim 4, characterized in that on the first side of the substrate, there are also provided conductive paths which together with the capacity capacitor form an LC electrical circuit of the electric circuit.

6-16. (withdrawn)

Art Unit: 2856

17. (previously amended) A diaper provided with a moisture sensor according to claim 1.

18. (previously amended) A diaper provided with a moisture sensor according to claim 2, characterized in that the first side of the substrate faces an inner side of the diaper.

19. (new) A moisture sensor according to claim 1, wherein one of said layers is a metal.

20. (new) A moisture sensor according to claim 19, wherein said metal is aluminum.

21. (new) A moisture sensor according to claim 1, wherein said two layers both comprise ICPs.


22. (new) A moisture sensor according to claim 1, wherein said electric circuit is adapted to use said voltage difference as an energy source.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rose M Miller whose telephone number is 571-272-2199. The examiner can normally be reached on Monday - Friday, 7:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on 571-272-2208. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RMM  
27 April 2004

  
HEZRON WILLIAMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800